



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

Le Gouvernement Local de l'Angleterre. Par MAURICE VAUTHIER. Paris, Arthur Rousseau, 1895. — xii, 446 pp.

L'Administration Locale de l'Angleterre. Par PIERRE ARMINJON, Docteur en Droit. Paris, Chevalier-Marescq et Cie., 1895. — 345 pp.

It is now two centuries since England solved for Europe one of the most important problems of Western civilization, *viz.*, how to secure at the same time civil liberty and orderly government. Naturally she did not solve this problem without a struggle. Indeed, the solution caused so much disturbance that her continental neighbors, who had very generally sacrificed civil liberty in order to avoid anarchy, were accustomed to regard her in her period of turmoil in much the same light as that in which France, since 1789, has been regarded by the rest of the Western world until within the last few years. When the battle was won, however, the solution of the problem which England had reached was very generally — indeed, it might almost be said universally — adopted. But with one exception the publicists of continental Europe sought and found the reasons of England's success in the mere relations of Parliament and crown, ignoring the broad basis of local self-government which had been laid in the days of the Norman and Plantagenet kings. The one exception was the late Professor Gneist, of Berlin. He it was who opened the eyes of European publicists to the importance of the local institutions in the English constitutional system. Now that England is attempting for social reform what she at one time accomplished for political reform, the eyes of continental Europe are again being directed towards her. But unlike the political philosophers of the seventeenth century, the observers of the present time are directing their attention to English local institutions. The reason is apparent. Almost all the successful social reforms of the present day in England are due to the activity of local rather than central authorities. The central government has, it is true, stepped in to forbid many actions on the part of individuals which it regards as detrimental to the public welfare; but almost all positive action on the part of the government in the direction of ameliorating the lot of the less fortunate classes of the population is being undertaken by the various local public corporations.

The appreciation of this fact is what gives peculiar value to the work of M. Vauthier. He has grasped the social importance of the late changes in English local government in a way which, while per-

haps not impossible for an Englishman, is hardly to be looked for in one who has lived so near the movement which has been going on for the past quarter of a century. Certainly M. Vauthier's attitude towards local-government reform in England is not that of those persons — generally barristers — who have hurriedly thrown together books on the county, parish and district councils formed by the acts of 1888 and 1894 — the only literature in English on the subject. M. Vauthier is, however, himself a lawyer and, while writing of the recent interesting reforms with the breadth of view of the political scientist, has all the lawyer's desire for accuracy in his statements regarding English law. His book is peculiar in that, though written by a foreigner trained in a system of public law quite alien to that of England, it contains so few mistakes. The only one to which attention need be directed is on page 339: and this is not of great importance; indeed, it is a fault not so much of commission as of omission. In commenting on the private-improvement rates he makes no reference to the American system of assessments for local improvement, though the adoption of this system, under the name of the betterment tax, has become a very important question, particularly in the great metropolitan district of London.

Finally it is to be noticed that M. Vauthier is one of those who believe that the present can be understood only in the light of the past. A large part of his book is devoted to the history of English local institutions. While he does not seem to have added very much to the sum of our knowledge in this field; while in some instances, particularly in what he says about the origin and development of the jury, he might have made further use of the results of German and even of American investigation: still it is seldom that we find the history of English local government told so concisely, and at the same time so accurately and in so entertaining a manner.

While the striking feature of M. Vauthier's work is the author's appreciation of social conditions and tendencies in England, Dr. Arminjon's book is more noticeable from the legal point of view, and particularly from the point of view of comparative law. His references in the footnotes to the statutes, so many of which have been recently passed making changes in the local-government system, are very full, and almost all his statements seem to be correct. One mistake, which is probably typographical, is found, however, on page 84, where the date of the union of the poor-law board and the public-health board is given as 1831 instead of 1871. Again, on page 144, the "assises" are spoken of instead of the quarter sessions.

The great merit of this book is to be found in the author's grasp of the fundamental principle of English law relative to local powers, *viz.*, that they are enumerated in the law, with the necessary result of a large amount of special legislation. The appreciation of this principle is the more remarkable from the fact that, as a Frenchman, Dr. Arminjon can hardly be expected to be familiar with English institutions; and the system with which, as a Frenchman, he is familiar is based on general grants of local power subject to specific limitations.

Another great merit in Dr. Arminjon's book is to be found in the full and accurate description of the most salient feature of the modern development of English local government, *viz.*, the central administrative control exercised over the local bodies. This is a feature which many writers on English local government pass by altogether, or treat quite inadequately. Nowhere else has this matter been so fully or so satisfactorily set forth. His treatment of this control not only considers its legal aspects, but also includes a description of its practical workings, which, owing to the assistance given to the author by a number of English officials, is of the greatest value to all who are interested in local reform.

It is seldom that two books on the same subject, appearing almost simultaneously, duplicate each other so little as the two before us. No one who is interested in the subject should fail to read them both.

FRANK J. GOODNOW.

Études sur la Compétence Civile à l'égard des États Étrangers et de leurs Agents Politiques, Diplomatiques ou Consulaires. Par P. DE PAEPE. Brussels, Émile Bruylant, 1894. — 302 pp.

M. de Paepe is an advocate of the supremacy of the civil law over all persons and all things within the territorial jurisdiction. He maintains that foreign states and their agents should be subject to the jurisdiction of the civil tribunals. From this claim he excludes matters of a political nature, and he does not advocate the subjection of diplomatic agents to the criminal law. But he contends that foreign states and their representatives should not be exempt from judicial process in matters of civil contract or of civil obligation. In the course of his argument, he presents a large number of interesting precedents; but many of these are, as he perceives, adverse to his thesis, for which he finds more support in the ancient than in the modern jurisprudence. He thinks, however, that some of the